



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Rhode Island State Labor Relations Board

Building 73
1511 Pontiac Avenue
Cranston, Rhode Island 02920-4407
Website: www.dlt.ri.gov/lrb

OPEN MINUTES **BOARD MEETING**

TIME: 9:00 a.m.
DATE: Tuesday, May 27, 2008
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni, Chairman
Joseph Mulvey
John R. Capobianco
Ellen L. Jordan

MEMBERS ABSENT: Frank Montanaro
Gerald Goldstein
Elizabeth Dolan

OTHERS PRESENT: Robyn H. Golden, Administrator
Margaret Hogan, Esquire

Chairman Lanni called the meeting to order in Open Session at 9:15 a.m.

All Board Members present reviewed the Open Minutes of the April 29, 2008 Board Meeting. A Motion was made by John Capobianco and seconded by Joseph Mulvey to accept the Open Minutes as written, and it was unanimously

VOTED: by all Board Members present to accept the minutes as written.

The meeting continued in open session:

CONSENT AGREEMENT AND AFFIDAVIT:

1. Case No. EE- 3033
EE- 3033 Town of North Providence Fire Department & International Association
of Fire Fighters (IAFF) Local 2334

**BOARD MEMBER, FRANK MONTANARO, RECUSED HIMSELF FROM PARTICIPATING
IN THIS MATTER.**

After review of the Consent Agreement and Affidavit executed and presented by the parties, a Motion was made by Ellen Jordan and seconded by John Capobianco to acknowledge and accept the parties' signed agreement; that the position(s) of **Director of Communications and Assistant Chief of the Fire Department**, shall be and is hereby **excluded** from the bargaining unit as defined by Certification No. EE-3033. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

UNIT CLARIFICATION - ACCRETION/EXCLUSION CASES:

1. Case No. EE- 3270/1714/1715/3152/3270/3575/1971/3115
State of RI & RI Council 94, AFSCME, AFL-CIO; LOCAL 580, RIASSE; NEARI;
Local 400, IFPTE; Local 401, SEIU (**Accretion/Exclusion – IT Positions**)

After review of the statements and informal notes submitted in the above-entitled matter, a Motion was made by John Capobianco and seconded by Joseph Mulvey to proceed to Formal Hearing. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

Ellen Jordan made a Motion for the Board to go into Closed Session for the purpose of reviewing the Unfair Labor Practice Charges, and the Minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by Joseph Mulvey, and it was unanimously

VOTED: for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:25 a.m.

The meeting resumed in open session at 9:30 a.m. for the purpose of reading into the Minutes the determinations made by the Board in Closed Session.

UNFAIR LABOR PRACTICE CASES:

1. Case No. ULP- 5841
Warwick School Committee & Warwick Teachers' Union, AFT, Local 915

DETERMINATION: issue a Complaint and proceed to formal hearing.

2. Case No. ULP- 5875
Tiverton School Committee & NEA Tiverton /NEARI

DETERMINATION: issue a Complaint and proceed to formal hearing.

3. Case No. ULP- 5881
Tiverton School Committee & NEA Tiverton /NEARI

DETERMINATION: issue a Complaint and proceed to formal hearing.

4. Case No. ULP- 5895
East Providence School Committee & East Providence Educational Support
Personnel /NEARI

DETERMINATION: Motion to Dismiss.

A Motion to adjourn was made by Ellen Jordan and seconded by John Capobianco, and it was unanimously,

VOTED: to adjourn the meeting at 9:35 a.m.